STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE
BEFORE THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF:	*	
PETROS VOSKERCHIAN, D.V.M.	*	DOCKET NOS. 12-01, 12-20A & 12-20B
LICENSE NO. 6131	*	

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Consent Agreement), dated this 3rd day of SEPTEMBER, 2013, is between the Maryland State Board of Veterinary Medical Examiners (Board) and Petros Voskerchian, D.V.M. (Dr. Voskerchian), License No. 6131. This Consent Agreement resolves the charges filed by the Board on March 21, 2012 in Docket Number 12-01 and charges filed by the Board on May 11, 2012 in Docket Numbers 12-20A and 12-20B. The charges variously allege that Dr. Voskerchian violated COMAR 15.14.01.04, pertaining to professional conduct; 15.14.01.06, pertaining to advertising; 15.14.01.07, pertaining to professional judgment and practice; and 15.14.01.10, pertaining to record keeping. The violations allegedly occurred during a period beginning on or about April 28, 2011 and ending before or in October 2011. Subsequently, the parties entered into discussions, met for a resolution conference on March 28, 2013, and were able to reach a resolution in all these matters. By entering into this Consent Agreement, Dr. Voskerchian waives the right to hearings and appeals on the various charges in Docket Numbers 12-01, 12-20A, and 12-20B. Dr. Voskerchian has prior disciplinary history with the Board, relating to his licensure application in 2009 and his registration renewal for FY 2012.

Under State law, the Board is the licensing authority responsible for regulating the practice of veterinary medicine in this State, which includes filing disciplinary actions against veterinarians charged with violating provisions of the Veterinary Practice Act, Agriculture Article §§ 2-301 through 2-316, Annotated Code of Maryland and related regulations. As part of its authority, the Board "may refuse, suspend, or revoke any application or license, and censure or place on probation any licensee . . . if the veterinarian or veterinary practitioner . . . [f]ails to comply with Board rules and regulations after receiving a license[.]" Md. Code Ann., Agric. Art., § 2-310(8). In addition, the Board may impose a civil penalty of not more than $5,000 for a first

offense, or $10,000 for a second or subsequent offense, in lieu of or in addition to suspending, or revoking a veterinarian's license, respectively. Md. Code Ann., Agric. Art., § 2-310.1. In setting the amount of a civil penalty, the Board shall consider the severity of the violation, the good faith of the violator, and any history of prior violations as well as the Board's regulatory civil penalty standards. Md. Code Ann., State Gov't Art. § 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Voskerchian, by entering into and signing this Consent Agreement, while generally and specifically denying liability in all of these cases, agrees to the provisions of this Consent Agreement, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he did violate certain regulations adopted under the Veterinary Practice Act; specifically, COMAR 15.14.01.06, pertaining to advertising, and COMAR 15.14.01.10, pertaining to record keeping. Specifically:

A. In **Docket Number 12-01**, Dr. Voskerchian failed to maintain adequate records for a companion animal on or about April 28, 2011, a violation of COMAR 15.14.01.10 pertaining to record keeping, when he:

1. Failed to record the type, amount, and rate of IV fluids given "Buddy" during sedation; and
2. Charged Ms. Hursen for Clindamycin (75 mg capsules) on an invoice dated April 28, 2011, when there was no notation in the patient's medical record of the dosage, frequency, or name of the medication administered or dispensed.

B. In **Docket Number 12-20A**, Dr. Voskerchian used an advertisement or public communication that contained a misstatement of fact on the website, sometime in or prior to October 2011 for Montgomery Village Veterinary Center. The website represented that Montgomery Village Veterinary Center, a veterinary hospital which Dr. Voskerchian owns and operates, was accredited by the American Animal Hospital Association (AAHA), when it was not so accredited, in violation of COMAR 15.14.01.06 pertaining to advertising. Under COMAR 15.14.01.06C, a veterinarian is personally responsible for compliance with the requirements of COMAR 15.14.01.06. Dr. Voskerchian promptly corrected this violation after notice from AAHA.

C. In **Docket Number 12-20B**, Dr. Voskerchian failed to maintain adequate records for a companion animal, Michelle Rinaldi's 14-year-old male Domestic Shorthair cat, "Tigger," a violation of COMAR

15.14.01.10 pertaining to record keeping, when he failed to record his discussion with Ms. Rinaldi of the results of an ultrasound done on or about May 13, 2011.

Taking all the facts and circumstances into consideration, including the severity of the violations, Dr. Voskerchian's disciplinary history with the Board, and Dr. Voskerchian's good faith effort to resolve this matter, the Board concluded that the most reasonable and appropriate resolution in these matters included the following sanctions.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 3rd day of SEPTEMBER, 2013, by the Maryland State Board of Veterinary Medical Examiners, ORDERED that:

A. For the violations of COMAR 15.14.01.06 Advertising and COMAR 15.14.01.10 Record Keeping, Dr. Voskerchian is assessed a civil penalty in the total amount of $1,400 ($300 for each of three record-keeping violations, $500 for one advertising violation). Payment shall be made to the Maryland Department of Agriculture ("MDA") with the notation "SBVME – 12-01, 12-20A&B" within 30 days of the date of the Order.

B. Dr. Voskerchian's License No. 6131 shall be suspended for one week (stayed). The stay of suspension of the license is contingent upon compliance with the conditions of probation.

C. Dr. Voskerchian shall serve a period of probation of one year. While on probation, the veterinarian shall obey all laws and regulations governing the practice of veterinary medicine in this State and the conditions of this Consent Agreement. The veterinarian shall promptly respond to document requests from the Board for copies of medical records for Board review to insure compliance with Board regulations. Violation of probation means that the veterinarian is charged and the Board ultimately concludes that the veterinarian violated the Veterinary Practice Act, related regulations, or the terms of this Consent Agreement during the period of probation. Violation of probation will result in any stay of sanctions being lifted, and the Board ordering the veterinarian to comply with the sanctions; in this case, suspension of the license for up to one week.

D. As a condition of probation, Dr. Voskerchian shall complete continuing education (CE) in Dr. James Wilson's complete on-line course, Veterinary Law and Ethics. Within 30 days of completion of the CE, the veterinarian shall forward to the Board documentation from the CE provider showing proof of completion of the

CE credits required under this Order. Proof from the CE provider shall include Dr. Voskerchian's name, the number of hours of CE completed, the topics covered, and the dates the CE were given. Completion of this CE will **not** be counted towards the 18 credit hours of CE required annually for re-registration of the veterinary license.

David L. Handel, DVM

David L. Handel, D.V.M.
Vice President
State Board of Veterinary Medical Examiners

CONSENT

I, PETROS VOSKERCHIAN, acknowledge that I have had an opportunity to consult with legal counsel before entering into and signing this document. By this Consent, I hereby acknowledge the legal authority and the jurisdiction of the Board over this matter and to issue and enforce this Consent Agreement. In order to resolve this matter, I agree to accept and submit to the foregoing Consent Agreement, consisting of five pages, including this page. I sign this Consent without reservation as my voluntary act after having had an opportunity to consult with counsel, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement.

7-31-2013
Date

_____, D.V.M.

NOTARY

STATE OF Maryland

CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 31 day of July, 2013, before me, a Notary Public of the State and City/County aforesaid, personally appeared Petros Voskerchian, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

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Notary Public
My Commission expires: 05-12-14